

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

ELLIOT ENOKI  
First Assistant U.S. Attorney

THOMAS MUEHLECK  
Assistant U.S. Attorney  
Room 6-100, PJKK Federal Building  
300 Ala Moana Blvd.  
Honolulu, Hawaii 96850  
Telephone: (808) 541-2850

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA, ) CR. NO. CR02-  
Plaintiff, ) INDICTMENT  
v. )  
EVONA LATU, aka "Poko," (01)) [21 U.S.C. §§ 846,  
FILOHIVALU TUITAVAKE, (02)) 841(A) (1), 843 (b) ]  
aka "Valu," aka "Indian," )  
MICHAEL TORRES JAIMES, (03))  
aka "Mikey," )  
LESLIE KEKAHUNA, (04))  
QUERUBIN P. FERNANDEZ, (05))  
aka "Kirby," )  
THOMAS TONU, (06))  
MICHELLE WEST, (07))  
BENJAMIN VAI, (08))  
EDWARD S. C. YUN, (09))  
CHASITY KALAWE, (10))  
Defendant. )

Som

INDICTMENT

SCANNED

COUNT 1

The Grand Jury charges:

From a date unknown but from at least on or about January, 2000, to on or about April 24, 2002, in the District of Hawaii and elsewhere, the defendants EVONA LATU, aka "Poko," FILOHIVALU TUITAVAKE, aka "Valu," aka "Indian," MICHAEL TORRES JAIMES, aka "Mikey," LESLIE KEKAHUNA, QUERUBIN P. FERNANDEZ, aka "Kirby," THOMAS TONU, MICHELLE WEST, BENJAMIN VAI, EDWARD S.C. YUN, CHASITY KALAWE did conspire together with each other and with Polotani Latu, aka "Paul," aka "P," Isileli Latu, aka "Loa," Maloni Niu, Andrea Niu, James J. Mateaki, Chad K. K. Kaaea, David Sola Kauvaka, Tausinga Taumoefolau, aka "Tau," Christine Kohler, Raye W. Bergman, David D. Espinal, aka "Dirk Diggler," Mark Togoai, Tasi Malepeai, aka "Taz," Amako Malepeai, aka "Mako," aka "Sepa," Silila Malepeai, aka "Steelz," Quincy Jacobs, Silo Tagoai, aka "Silo Tagata," aka "Priscilla Afoa," Jason Apela Gonsalves, aka "Jay," Maria Mercedes Zepeda, Edward Mersburgh, aka "Kawika," and Faatali Malepeai, not defendants herein, and with other persons known and unknown to the Grand Jury to commit offenses against the United States, that is to knowingly and intentionally distribute and possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, in excess of 50 grams, a Schedule II controlled substance, and to distribute and possess with intent to

distribute a quantity of cocaine, in excess of 500 grams, a Schedule II controlled substance,

In violation of Title 21, United States Code, Section 841(a)(1).

Ways and Means of Accomplishing the Conspiracy

The co-conspirators reached and attempted to reach the objectives of this conspiracy using the following ways and means, among others:

1. It was part of the conspiracy that from 2000, and continuing through April 2002, Polotani Latu, aka "Paul," aka "P," EVONA LATU, aka "Poko," Mark Tagoai, David D. Espinal, aka "Dirk Diggler," Amako Malepeai, aka "Mako," aka "Sepa," Jason Apela Gonsalves, aka "Jay," and LESLIE KEKAHUNA obtained quantities of crystal methamphetamine and cocaine in California, Hawaii and elsewhere for distribution on Oahu, Maui and Molokai.

2. It was further part of the conspiracy that the co-conspirators used couriers and commercial express delivery services to transport crystal methamphetamine and cocaine to Oahu, Maui and Molokai.

3. It was further part of the conspiracy that the co-conspirators used long distance telephone calls, telephone pagers and cellular telephones to arrange for the distribution of crystal methamphetamine and cocaine.

4. It was further part of the conspiracy that the co-conspirators distributed crystal methamphetamine and cocaine for cash.

5. It was further part of the conspiracy that the co-conspirators used couriers, commercial express delivery services and Western Union outlets to transfer monies derived from the sale of crystal methamphetamine and cocaine.

6. It was further part of the conspiracy that the co-conspirators concealed the income and assets derived from the sale of crystal methamphetamine and cocaine.

7. It was further part of the conspiracy that the co-conspirators used an officer of the Maui Police Department to obtain information on confidential law enforcement investigations.

8. It was further part of the conspiracy that the co-conspirators prepared counterfeit Federal Reserve Notes to use to purchase methamphetamine and cocaine.

Overt Acts

In furtherance of the conspiracy and to effect the objectives of this conspiracy, the defendants and co-conspirators performed overt acts in the District of Hawaii and elsewhere, including but not limited to:

1. During the year 2000, Polotani Latu, aka "Paul," aka "P" distributed crystal methamphetamine - "ice" on Maui.

2. During February 2001, Polotani Latu, aka "Paul," aka "P," distributed a quantity of crystal methamphetamine - "ice" on Maui to another individual.

3. On or about February 2, 2001, Chad K.K. Kaaea and David Sola Kauvaka held for distribution, approximately 40 grams of crystal methamphetamine - "ice" on the Island of Maui.

4. On or about February 9, 2001, Polotani Latu, aka "Paul," aka "P," and EVONA LATU, aka "Poko" distributed approximately one half ounce of crystal methamphetamine - "ice."

5. On or about March 5, 2001, Polotani Latu, aka "Paul," aka "P," transported a quantity of crystal methamphetamine - "ice" in a Dodge Dakota pickup truck registered to defendant James J. Mateaki.

6. On or about March 5, 2001, Polotani Latu, aka "Paul," aka "P" distributed approximately 28 grams of crystal methamphetamine - "ice" to an undercover agent of the Federal Bureau of Investigation.

7. On or about April 19, 2001, EDWARD S.C. YUN held a quantity of crystal methamphetamine - "ice" for distribution on the Island of Maui.

8. On or about April 24, 2001, MICHELLE WEST spoke on the telephone with EVONA LATU, aka "Poko."

9. On or about April 26, 2001, Michelle West spoke on the telephone with EVONA LATU, aka "Poko."

10. On or about April 26, 2001, EVONA LATU, aka "Poko," called MICHELLE WEST on the telephone and arranged to meet with her at a Safeway Supermarket.

11. On or about April 27, 2001, EVONA LATU, aka "Poko," spoke on the telephone with EDWARD S.C. YUN concerning the distribution of a quantity of crystal methamphetamine - "ice."

12. On or about April 30, 2001, FILOHIVALU TUITAVAKE, aka "Valu," aka "Indian," spoke on the telephone with another individual concerning a distribution of a quantity of cocaine.

13. On or about May 1, 2001, MICHAEL TORRES JAIMES, aka "Mikey," discussed the distribution of a quantity of methamphetamine and a quantity of cocaine with defendant Polotani Latu, aka "Paul," aka "P," on the telephone.

14. On or about May 3, 2001, Tasi Malepeai, aka "Taz," discussed the distribution of a quantity of crystal methamphetamine - "ice" with defendant Polotani Latu, aka "Paul," aka "P," on the telephone.

15. On or about May 3, 2001, defendant Polotani Latu, aka "Paul," aka "P," discussed the distribution of a quantity of crystal methamphetamine with Tasi Malepeai, aka "Taz," on the telephone.

16. On or about May 4, 2001, Tasi Malepeai, aka "Taz," telephoned defendant Polotani Latu, aka "Paul," aka "P," and

discussed the distribution of a quantity of crystal methamphetamine - "ice."

17. On or about May 4, 2001, Tasi Malepeai, aka "Taz," telephoned Polotani Latu, aka "Paul," aka "P," and discussed the distribution of a quantity of crystal methamphetamine - "ice" and law enforcement activity on the Island of Maui.

18. On or about June 26, 2001, David D. Espinal, aka "Dirk Diggler," and Maria Mercedes Zepeda arranged to ship \$125,000 in U.S. currency via FedEx from Honolulu, Hawaii, to San Francisco, California.

19. On or About August 3, 2001, CHASITY KALAWE attempted to take possession of a package at the Molokai Airport that contained approximately 250 grams of crystal methamphetamine - "ice."

20. On August 15, 2001, MICHAEL TORRES JAIMES, aka "Mikey" held one ounce of cocaine for sale.

21. On August 15, 2001, MICHAEL TORRES JAIMES, aka "Mikey" stored \$5,840 in U.S. currency in a safe in a house in Chula Vista, California.

22. On or about October 13, 2001, Polotani Latu, aka "Paul," aka "P" spoke on the telephone with QUERUBIN P. FERNANDEZ, aka "Kirby."

23. On or about October 13, 2001, Polotani Latu, aka "Paul," aka "P" spoke on the telephone with THOMAS TONU

concerning the distribution of a quantity of crystal methamphetamine - "ice."

24. On or about October 13, 2001, Maloni Niu spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning a commercial airlines flight to California.

25. On or about October 14, 2001, Polotani Latu, aka "Paul," aka "P" met with QUERUBIN P. FERNANDEZ, aka "Kirby," at the Maui Ocean Center in Wailuku, Maui.

26. On or about October 14, 2001, at Kahului, Maui, Maloni Niu and Polotani Latu, aka "Paul," aka "P," boarded a United Airlines flight to San Francisco, California.

27. On or about October 14, 2001, Mark Tagoai spoke on the telephone with Polotani Latu, aka "Paul," aka "P."

28. On or about October 16, 2001, Polotani Latu, aka "Paul," aka "P," used a telephone to leave a message for THOMAS TONU.

29. On or about October 16, 2001, Isileli Latu, aka "Loa," spoke to defendant Polotani Latu, aka "Paul," aka "P," on the telephone concerning the purchase of a quantity of crystal methamphetamine - "ice" and a quantity of cocaine.

30. On or about October 16, 2001, Mark Tagoai spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning a quantity of crystal methamphetamine - "ice."

31. On or about October 17, 2001, Tausinga Taumoefolau, aka "Tau," spoke on the telephone with defendant Polotani Latu, aka "Paul," aka "P."

32. On or about October 18, 2001, Isileli Latu, aka "Loa," spoke on the telephone with Polotani Latu, aka "Paul," aka "P" concerning the shipment of a quantity of crystal methamphetamine - "ice."

33. On or about October 18, 2001, THOMAS TONU took possession of a 1996 Chevrolet Tahoe from EDWARD S.C. YUN to ensure payment of monies owed for crystal methamphetamine - "ice."

34. On or about October 19, 2001, Christine Kohler spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning a FedEx package that contained a quantity of crystal methamphetamine - "ice."

35. On or about October 22, 2001, James J. Mateaki used a telephone to obtain information from the Maui Police Department regarding the existence of liens on the 1996 Chevrolet Tahoe that had been forcibly seized by THOMAS TONU from EDWARD S.C. YUN.

36. On or about October 22, 2001, Christine Kohler, James J. Mateaki and Polotani Latu, aka "Paul," aka "P," met in a parking lot at Triangle Square Shopping Center in Kahului, Maui.

37. On or about October 22, 2001, James J. Mateaki spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning the investigation by the Maui County Police Department into the package of crystal methamphetamine - "ice" that had been seized by Maui County Police Officers.

38. On or about October 24, 2001, Maloni Niu spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning a trip to California.

39. On or about October 26, 2001, Maloni Niu flew to San Francisco, California.

40. On or about October 27, 2001, Maloni Niu spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning a purchase of a quantity of crystal methamphetamine - "ice."

41. On or about October 28, 2001, Maloni Niu spoke on the telephone with Polotani Latu, aka "Paul," aka "P."

42. On or about October 29, 2001, Maloni Niu spoke on the telephone with Polotani Latu, aka "Paul," aka "P."

43. On or about October 30, 2001, Tausinga Taumoefolau, aka "Tau" spoke on the telephone with Polotani Latu, aka "Paul," aka "P."

44. On or about November 14, 2001, Raye W. Bergman spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning the distribution of eight ounces of cocaine.

45. On or about November 14, 2001, Raye W. Bergman spoke on the telephone with Polotani Latu, aka "Paul," aka "P" concerning the distribution of eight ounces of cocaine.

46. On or about November 17, 2001, Polotani Latu, aka "Paul," aka "P" spoke on the telephone with Isileli Latu, aka "Loa" concerning the distribution of a quantity of crystal methamphetamine - "ice" to David Sola Kauvaka.

47. On or about November 17, 2001, Maloni Niu spoke on the telephone with Polotani Latu, aka "Paul," aka "P" concerning a distribution of a quantity of crystal methamphetamine - "ice."

48. On or about November 18, 2001, Polotani Latu, aka "Paul," aka "P" spoke on the telephone with Maloni Niu concerning a trip to California.

49. On or about November 19, 2001, Faatali Malepeai and Amako Malepeai, aka "Mako," aka "Sepa" spoke on the telephone with Polotani Latu, aka "Paul," aka "P."

50. On or about November 19, 2001, Maloni Niu carried \$61,504 in U.S. currency to the Kahului Airport in Maui and waited to board a United Airlines flight to San Francisco, California.

51. On or about November 20, 2001, Polotani Latu, aka "Paul," aka "P" spoke on the telephone with Faatali Malepeai concerning the distribution of a quantity of crystal

methamphetamine - "ice" by David D. Espinal, aka "Dirk Diggler" to Amako Malepeai, aka "Mako," aka "Sepa."

52. On or about November 20, 2001, Andrea Niu spoke on the telephone with Polotani Latu, aka "Paul," aka "P" concerning the U.S. currency hidden in the Maloni Niu's luggage.

53. On or about November 20, 2001, James J. Mateaki spoke on the telephone with Polotani Latu, aka "Paul," aka "P" concerning the Maui Police stop of Maloni Niu at the Kahului Airport and the seizure of the U.S. currency.

54. On or about November 20, 2001, James J. Mateaki spoke on the telephone with Polotani Latu, aka "Paul," aka "P" concerning the Maui Police Department investigation of Maloni Niu.

55. On or about November 21, 2001, Amako Malepeai, aka "Mako," aka "Sepa," spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning the distribution of a quantity of crystal methamphetamine - "ice."

56. On or about November 23, 2001, Polotani Latu, aka "Paul," aka "P," spoke on the telephone with Faatali Malepeai.

57. On or about November 23, 2001, Polotani Latu, aka "Paul," aka "P," spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa," concerning the distribution of a quantity of crystal methamphetamine - "ice."

58. On or about November 25, 2001, Polotani Latu, aka "Paul," aka "P," spoke on the telephone with David Sola Kauvaka concerning the distribution of a quantity of crystal methamphetamine - "ice."

59. On or about November 26, 2001, Faatali Malepeai spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning a distribution of crystal methamphetamine - "ice."

60. On or about December 6, 2001, Polotani Latu, aka "Paul," aka "P," spoke on the telephone with Jason Apela Gonsalves, aka "Jay," concerning the distribution of a quantity of crystal methamphetamine - "ice."

61. On or about December 7, 2001, Polotani Latu, aka "Paul," aka "P," spoke on the telephone with BENJAMIN VAI concerning the distribution of a quantity of crystal methamphetamine - "ice."

62. On or about December 7, 2001, Amako Malepeai, aka "Mako," aka "Sepa," spoke on the telephone with Polotani Latu, aka "Paul," aka "P," concerning the payment of monies to David D. Espinal, aka "Dirk Diggler."

63. On or about December 9, 2001, Polotani Latu, aka "Paul," aka "P," spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa," concerning the distribution of a quantity of crystal methamphetamine - "ice."

64. On or about December 11, 2001, Polotani Latu, aka "Paul," aka "P," spoke on the telephone with LESLIE KEKAHUNA concerning the distribution of a quantity of crystal methamphetamine - "ice."

65. On or about December 18, 2001, Jason Apela Gonsalves, aka "Jay," spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa," concerning the collection of monies owed by Polotani Latu, aka "Paul," aka "P."

66. On or about December 22, 2001, Silo Tagoai, aka "Silo Tagata," aka "Priscilla Afoa" spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa" concerning her possession of large quantity of U.S. currency.

67. On or about December 23, 2001, Silo Tagoai, aka "Silo Tagata," aka "Priscilla Afoa," transported \$72,845 in U.S. currency in two suitcases on board a Delta Airlines flight from Honolulu, Hawaii, to San Francisco, California.

68. On or about December 23, 2001, Mark Tagoai spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa," concerning the distribution of a quantity of crystal methamphetamine - "ice" and the seizure of U.S. currency from Silo Tagoai, aka "Silo Tagata," aka "Priscilla Afoa," at the San Francisco Airport by the Drug Enforcement Administration.

69. On or about December 28, 2001, Amako Malepeai, aka "Mako," aka "Sepa," spoke on the telephone with Silo Tagoai, aka

"Silo Tagata," aka "Priscilla Afoa" concerning his possession of a quantity of counterfeit Federal Reserve Notes.

70. On or about December 28, 2001, Silila Malepeai, aka "Steelz," spoke on the telephone with Amako Malepeai, aka "Mako," aka Sepa," concerning an exchange of counterfeit Federal Reserve Notes for a quantity of cocaine or crystal methamphetamine - "ice."

71. On or about December 28, 2001, Silila Malepeai, aka "Steelz," spoke on the telephone with Edward Mersburgh, aka "Kawika."

72. On or about December 29, 2001, Edward Mersburgh, aka "Kawika," spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa," concerning the counterfeit Federal Reserve Notes.

73. On or about December 29, 2001, Edward Mersburgh, aka "Kawika" spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa," concerning the exchange of counterfeit Federal Reserve Notes for controlled substances.

74. On or about January 12, 2002, Tasi Malepeai, aka "Taz," spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa," concerning monies owed by defendant Polotani Latu, aka "Paul," aka "P."

75. On or about January 14, 2002, David D. Espinal, aka "Dirk Diggler" spoke on the telephone with Faatali Malepeai.

76. On or about January 16, 2002, Tasi Malepeai, aka "Taz" spoke on the telephone with Mark Tagoai concerning monies owed by Polotani Latu, aka "Paul," aka "P."

77. On or about January 16, 2002, David D. Espinal, aka "Dirk Diggler," spoke on the telephone with Mark Tagoai.

78. On or about January 17, 2002, Mark Tagoai spoke on the telephone with David D. Espinal, aka "Dirk Diggler."

79. On or about January 22, 2002, Silila Malepeai, aka "Steelz," spoke on the telephone with Amako Malepeai, aka "Mako," aka "Sepa."

80. On or about January 23, 2002, Mark Tagoai spoke on the telephone with Tasi Malepeai, aka "Taz," concerning the distribution of a quantity of crystal methamphetamine - "ice."

81. On or about January 29, 2002, Amako Malepeai, aka "Mako," aka "Sepa," possessed \$17,800 in counterfeit Federal Reserve Notes.

82. On or about January 24, 2002, Amako Malepeai, aka "Mako," aka "Sepa," spoke on the telephone with Silila Malepeai, aka "Steelz."

83. On or about January 30, 2002, Jason Apela Gonsalves, aka "Jay," held approximately 100 grams of crystal methamphetamine - "ice" in his automobile.

84. On or about January 31, 2002, QUERUBIN P. FERNANDEZ, aka "Kirby," stored crystal methamphetamine - "ice"

packaging materials, a digital scale and \$4,151 in U.S. currency in his residence in Lahaina, Maui.

85. On or about February 16, 2002, David D. Espinal, aka "Dirk Diggler," spoke on the telephone with Mark Tagoai concerning the distribution of a quantity of crystal methamphetamine - "ice."

86. On or about February 27, 2002, Maria Mercedes Zepeda spoke on the telephone with David D. Espinal, aka "Dirk Diggler," concerning surveillance by law enforcement officers.

87. On or about February 27, 2002, David D. Espinal, aka "Dirk Diggler," spoke on the telephone with another individual concerning the distribution of a quantity of crystal methamphetamine - "ice."

88. On or about March 3, 2002, David D. Espinal, aka "Dirk Diggler," spoke on the telephone with Tasi Malepeai, aka "Taz."

89. On or about March 3, 2002, Tasi Malepeai, aka "Taz," spoke on the telephone with David D. Espinal, aka "Dirk Diggler."

90. On or about March 4, 2002, David D. Espinal, aka "Dirk Diggler," spoke on the telephone with Tasi Malepeai, aka "Taz."

91. On or about April 21, 2002, David D. Espinal, aka "Dirk Diggler," and Maria Mercedes Zepeda walked through the San

Francisco International Airport to a Taca International Airlines flight to Honduras while carrying a large quantity of U.S. currency.

92. On or about April 24, 2002, Tasi Malepeai, aka "Taz," stored \$162,340 in U.S. currency in an apartment at 1910 Ala Moana Blvd., Honolulu, Hawaii.

93. On or about April 24, 2002, Quincy Jacobs threw a backpack containing one pound of cocaine out the window of an apartment at 910 Ala Moana Blvd., in Honolulu, Hawaii.

94. On or about April 24, 2002, Quincy Jacobs stored approximately two pounds of cocaine in a cupboard in an apartment at 1910 Ala Moana Blvd., in Honolulu, Hawaii.

95. On or about April 24, 2002, Polotani Latu, aka "Paul," aka "P," stored a large quantity of U.S. currency in his residence in Wailuku, Maui.

96. On or about April 24, 2002, Isileli Latu, aka "Loa," stored approximately twenty-one ounces of crystal methamphetamine - "ice" in a safe in his residence in Haliimaile, Hawaii.

97. On or about April 24, 2002, Jason Apela Gonsalves, aka "Jay," possessed approximately eight ounces of crystal methamphetamine - "ice."

98. On or about April 24, 2002, Silila Malepeai, aka

Steelz," stored approximately two ounces of crystal methamphetamine - "ice" in his Lincoln Navigator automobile.

All in violation of Title 21, United States Code, Section 846.

COUNT 2

The Grand Jury further charges:

On or about February 9, 2001, defendant EVONA LATU, aka "Poko," and Polotani Latu, aka "Paul," aka "P," did knowingly and intentionally aid and abet each other in the distribution of a quantity of methamphetamine, its salts, isomers and salts of its isomers in excess of five (5) grams, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 3

The Grand Jury further charges:

On or about April 19, 2001, in the District of Hawaii, defendant EDWARD S. C. YUN did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers in excess of five (5) grams, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 4

The Grand Jury further charges:

On or about April 25, 2001, in the District of Hawaii, defendant EVONA LATU, aka "Poko," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a distribution of a quantity of cocaine, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 5

The Grand Jury further charges:

On or about April 26, 2001, in the District of Hawaii, defendant EVONA LATU, aka "Poko," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to distribute and to possess with intent to distribute a quantity of cocaine, a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, Section 843(b).

COUNT 6

The Grand Jury further charges:

On or about April 26, 2001, in the District of Hawaii, defendants EVONA LATU, aka "Poko," and MICHELLE WEST, used and caused to be used a communications facility, that is, a

telephone, in causing or facilitating the commission of a distribution of a quantity of methamphetamine, its salts, isomers and sales of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 7

The Grand Jury further charges:

On or about April 26, 2001, in the District of Hawaii, defendants EVONA LATU, aka "Poko," and MICHELLE WEST, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a distribution of a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 8

The Grand Jury further charges:

On or about April 26, 2001, in the District of Hawaii, defendant FILOHIVALU TUITAVAKE, aka "Valu," aka "Indian," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute

a quantity of cocaine, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 9

The Grand Jury further charges:

On or about April 30, 2001, in the District of Hawaii, defendant FILOHIVALU TUITAVAKE, aka "Valu," aka "Indian," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of cocaine, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 10

The Grand Jury further charges:

On or about May 1, 2001, in the District of Hawaii and elsewhere, defendant MICHAEL TORRES JAIMES, aka "Mikey," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and sales of

its isomers and a quantity of cocaine, Schedule II controlled substances, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 11

The Grand Jury further charges:

On or about May 10, 2001, in the District of Hawaii, defendant MICHELLE WEST, used and caused to be used a communications facility, that is, a telephone in causing or facilitating the commission of a conspiracy to possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 12

The Grand Jury further charges:

On or about May 11, 2001, in the District of Hawaii, defendant MICHELLE WEST, used and caused to be used a communications facility, that is, a telephone in causing or facilitating the commission of a conspiracy to possess with intent to distribute an quantity of methamphetamine, its salts, isomers and salts of its isomers a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code,  
Section 843 (b) .

COUNT 13

The Grand Jury further charges:

On or about August 3, 2001, in the District of Hawaii, defendant CHASITY KALAWE did knowingly and intentionally attempt to knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers in excess of 50 grams, in violation of 21 U.S.C. § 841(a) (1) .

All in violation of Title 21, United States Code,  
Section 846.

COUNT 14

The Grand Jury further charges:

On or about October 13, 2001, in the District of Hawaii, defendant THOMAS TONU, used and caused to be used a communications facility, that is, a telephone in causing or facilitating the commission of a conspiracy to possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code,  
Section 843 (b) .

COUNT 15

The Grand Jury further charges:

On or about October 13, 2001, in the District of Hawaii, defendant QUERUBIN P. FERNANDEZ, aka "Kirby," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 16

The Grand Jury further charges:

On or about October 14, 2001, in the District of Hawaii, defendant QUERUBIN P. FERNANDEZ, aka "Kirby," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 17

The Grand Jury further charges:

On or about October 25, 2001, in the District of Hawaii, defendant THOMAS TONU, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code, Section 843 (b).

COUNT 18

The Grand Jury further charges:

On or about October 26, 2001, in the District of Hawaii, defendant QUERUBIN P. FERNANDEZ, aka "Kirby," used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code, Section 843 (b).

COUNT 19

The Grand Jury further charges:

On or about December 5, 2001, in the District of Hawaii, defendant THOMAS TONU, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute and to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 20

The Grand Jury further charges:

On or about December 7, 2001, in the District of Hawaii, defendant BENJAMIN VAI, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the distribution of a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 21

The Grand Jury further charges:

On or about December 7, 2001, in the District of Hawaii, defendant BENJAMIN VAI, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the distribution of a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 22

The Grand Jury further charges:

On or about December 7, 2001, in the District of Hawaii, defendant BENJAMIN VAI, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the distribution of a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 23

The Grand Jury further charges:

On or about December 8, 2001, in the District of Hawaii, defendant LESLIE KEKAHUNA, used and caused to be used a

communications facility, that is, a telephone, in causing or facilitating the distribution of a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 24

The Grand Jury further charges:

On or about December 11, 2001, in the District of Hawaii, defendant LESLIE KEKAHUNA, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the distribution of a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code, Section 843(b).

COUNT 25

The Grand Jury further charges:

On or about December 11, 2001, in the District of Hawaii, defendant LESLIE KEKAHUNA, used and caused to be used a communications facility, that is, a telephone, in causing or facilitating the distribution of a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, a felony under 21 U.S.C. § 841(a)(1).

All in violation of Title 21, United States Code,  
Section 843(b).

COUNT 26

The Grand Jury further charges:

On or about January 31, 2002, in the District of Hawaii, defendant QUERUBIN P. FERNANDEZ, aka "Kirby," did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code,  
Section 841(a)(1).

DATED: May 1, 2002 at Honolulu, Hawaii.

A TRUE BILL

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FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

  
\_\_\_\_\_  
ELLIOT ENOKI  
First Assistant U.S. Attorney

T. Muehleck  
\_\_\_\_\_  
THOMAS MUEHLECK  
Assistant U.S. Attorney

United States v. Evona Latu, et al.  
INDICTMENT  
Cr. No. \_\_\_\_\_